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Paper No. 5

OBLON SPIVAK MCCLELLAND
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In re Application of :
David Rochon, et al. :
Application No.: 09/418,509 :
Filed: October 15, 1999 :
For: SYSTEM AND MEETHOD FOR : DECISION ON PETITION
DELIVERING TARGETED PRODUCT : TO MAKE SPECIAL
SAMPLES AND MEASURING :
CONSUMER ACCEPTANCE VIA A :
COMPUTER NETWORK :
:

This is a decision on the petition to treat the above-identified application as special and advance the examination thereof, filed August 2, 2000.

A grantable petition to make special in accordance with M.P.E.P. § 708.02, Item VIII, must be accompanied by (a) the fee set forth in 37 C.F.R. § 1.17(I), (b) a statement that all claims are directed to a single invention or an offer to make an oral election without traverse should the Patent and Trademark Office hold that the claims are not directed to a single invention, (c) a statement that a pre-examination search has been made by the inventor, attorney, agent, professional searcher, etc., and a listing of the field of search by class and subclass, (d) one copy of each of the references deemed most closely related to the subject matter encompassed by the claims, and (e) a detailed description of the submitted references and discussions pointing out how the claimed subject matter is distinguishable over these references.

For the above stated reasons, the petition is **GRANTED**.

The application will retain its special status throughout its entire course of prosecution in the Patent and Trademark Office, including appeal, if any to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application file will be forwarded to the examiner for expedited prosecution.

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